

REMARKS

Claims 12-15 and 17 stand rejected under 35 USC 112, second paragraph. In response thereto, Applicant has amended these claims to address the issues pointed out by Examiner. Thus, it is respectfully submitted that the Examiner's rejection of the claims under 35 USC 112, second paragraph is now moot.

Claims 1-3, 6-7, 9 and 11-17 stand rejected under 25 USC §102(b) as being anticipated by U.S. Patent No. 5,267,679 ("Kamaya"). Claims 1-3, 6-7, 9 and 13-18 stand rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 4,724,791 ("McSorely"). Claim 18 is rejected under 35 USC §103 as being obvious over Kamaya. Applicant has amended independent claims 1 and 18 to more particularly define the present invention. Neither Kamaya nor McSorely teach or suggest the features of the present invention as recited in the amended claims.

More specifically, claims 1 and 18 have been amended to recite, *inter alia*,

"... a securing arrangement means for releasably securing the pouch to the frame member, the securing arrangement including a collar arranged to secure around the frame member, ... the collar being expandable and contractible such that it can be loosened to permit removal of the securing arrangement from the frame member and tightenable so that the pouch can be secured in close proximity to the frame member, said collar being

provided as a spring tightenable collar bracket having clamping means such that when the collar is adjusted so that it is located around the frame member, the collar can be clamped securely to ensure a tight fit of the collar about the frame member thereby enabling the collar to be secured to frame members of different dimensions.”

These features ensure that the pouch of the carrier mount can be easily and conveniently secured to, and released from, frame members of different dimensions of various exercise apparatus. These features also ensure that the device and pouch are stable when secured to the frame member (i.e., one of the major faces of the pouch being secured to the frame member in close proximity thereto ensures that the pouch and the device do not swing from the frame member during use). The releasable collar enables the device to be conveniently moved between exercise apparatus.

Neither Kamaya nor McSorely disclose or suggest these features. Kamaya discloses a simple video camera bag. What the Examiner equates to as a collar (12,20,27) is a simple loop that cannot be expanded or contracted as recited in the amended claims 1 and 18. In McSorely, the flap 42 loops around the boat structure 50. Moreover, these references do not teach or suggest the use of a spring tightenable collar bracket with a clamping means, which enables the collar to be clamped securely to ensure a tight fit of the collar about the frame member as recited in the amended claims 1 and 18.

Dependent claims 2, 3, 6, 7, 9, and 13-17 are patentable over Kamaya and McSorely for those reasons advanced above with respect to claim 1 from which they respectfully depend and for reciting additional features neither taught nor suggested by Kamaya and McSorely.

In light of all of the above, it is submitted that the claims are in order for allowance, and prompt allowance is earnestly requested. Should any issues remain outstanding, the Examiner is invited to call the undersigned attorney of record so that the case may proceed expeditiously to allowance.

Respectfully submitted,



Jay P. Sbrollini  
Reg. No. 36,266  
Attorney for Applicant(s)

GORDON & JACOBSON, P.C.  
65 Woods End Road  
Stamford, CT 06905  
(203) 329-1160

March 23, 2004